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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

4 AUG 1993

IN REPLY REFER TO:

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable Roscoe G. Bartlett
House of Representatives
312 Cannon House Office Building
Washington, DC 20515-2006

Dear Congressman Bartlett:

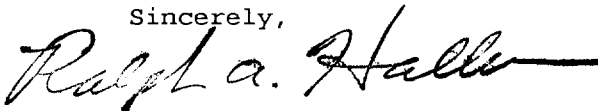
This is in response to your letter of July 22, 1993, in which you inquired on behalf of your constituent, Leslie C. Klink, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). Your constituent is specifically concerned about the potential impact of our final rules on radio remote controlled airplane hobbyists.

Model airplane users have shared spectrum on a secondary basis with industrial users for over 25 years. The low power industrial user and the radio control model airplane hobbyists effectively share spectrum through geographic separation. We are enclosing the Report and Order in GEN Docket 82-181, 47 FR 51875 (1982), which provided the current 50 channels for radio controlled model airplanes. These rules, adopted at the behest of the model airplane community, provide no protection from interference from licensed sources. We further note that the radio environment is inherently hazardous and that even primary allocations suffer from problems. For example, model aircraft users receive interference from other model aircraft users and from certain TV channels. Thus, model aircraft must be, and in fact are, capable of co-existing with some interference.

The Commission is seeking to work with all parties on this matter. To this end, FCC staff has met with the two largest industry groups representing model airplane users, the Academy of Model Aeronautics and the Sport Flyers Association, to discuss their concerns and methods of expanding capacity for private land mobile radio users without affecting radio control users. Following the comment and reply comment periods, we will endeavour to adopt reasonable final rules as soon as possible.

Thank you for your interest. Your letter will be included in the formal record of this proceeding.

Sincerely,



Joseph A. Levin
Chief, Policy and Planning Branch
Private Radio Bureau

Enclosure

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Congress of the United States

House of Representatives

Washington, D.C.

..... 22 July, 1993

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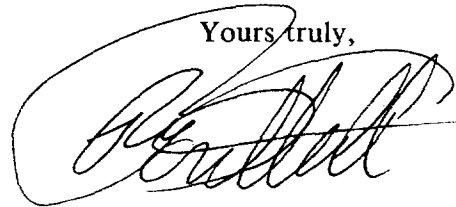
92-235

PRB

Sir/Madam:

The attached communication is sent for your consideration. Please investigate the statements contained therein and forward me the necessary information for reply, returning the enclosed correspondence with your answer.

Yours truly,



M.C.



COUNCIL NEDD II

LEGISLATIVE ASSISTANT

ROSCOE G. BARTLETT
MEMBER OF CONGRESS
6TH DISTRICT, MARYLAND

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ACKNOWLEDGED

Francis Myrnes

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APR 12 1983

The Honorable
U.S. House of Reps.
Washington, D.C. 20515

Reference: PR Docket 92-235

I and other club members in the Cumberland Aircraft Modelers Society in Allegany County, Cumberland Maryland some of us are still working and alot of the members are retired and derive many hours of pleasure from building and operating radio controlled models. We own several pieces of radio equipment that would be unusable if this frequency assignment is adopted. The models I and other club members build weigh as much 15 pounds and operate up to in excess of 100 MPH. Since the proposed new frequencies are so close, interference will occur and render most model frequencies unusable. Another point to remember is that our Club Flying site is located less than 1/4 mile from a busy highway (RT 220 south) if there are any mobile radio that are not on frequency or the equipment is not properly serviced will cause interference with the model. This could result in a major accident if the model losses contact with the operator and goes out of control and hits a vehicle traveling or the highways.

I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio frequencies and cause interference to radio control operations. I am told that of the 50 frequencies that are presently available for radio control of model airplanes, only 19 frequencies will be left if these new rules are adopted.

When we fly our model airplanes under radio control, we go to a great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies.. If the number of usable frequencies is diminished as proposed be the FCC, the

remaining frequencies will become congested and the margin of safety will be greatly decreased.

Please understand that many model airplanes have wing spans up to 10 feet and weigh as much as 30 or 40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing property damage, serious injury, or even death if radio interference causes the operator to lose control of the craft. We often fly our models at organized events and contests where hundreds of operators participate. We need the use of our full complement of radio frequencies in order to assure a safe flying environment.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have considerable investment in our models and in our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

You will probably hear from the FCC that if the modelers and the land mobile users keep their equipment maintained there will be no problems. But let me assure you this will not be the case. When the problem becomes known that there is interference with the modelers it may already be too late for someone if the model goes out of control and kills someone. When we were experiencing a problem with interference at our flying site and even when we found what the problem was everybody that was contacted said that it wasn't their problem. This problem was solved when the interfering party changed equipment but there was no admission that they had a problem. So you can see there is no clear cut way to solve the problems that can arise if the frequencies the FCC are proposing assign. The safest way is not assign frequencies close to the modelers frequencies.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 MHz band.



LESLIE C KLINK
146 DEPOT RD
FROSTBURG, MD 21532-131246

Sincerely,

Leslie C. Klink
CAMS - President
Cumberland Aircraft Model Society